

FILED  
LCWIN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

United States of America ex. rel	)	MICHAEL W. DOBBINS CLERK, U.S. DISTRICT COURT
JAN NEWELL	)	
Petitioner,	)	
vs.	)	AUG 28 2008 AUG 28 2008 Honorable Judge John W. Darrah Presiding
NEDRA CHANDLER,etc.	)	
Respondent.	)	

RE: 08 CV 3711

**MOTION TO STAY PROCEEDINGS IN ORDER TO VERIFY FILINGS AND THE  
RECORD/ MOTION FOR VIDEO TELECONFERENCE TO  
VIEW FILINGS AND THE RECORD**

NOW COMES, Jan Newell, pro-se and ~~noway~~ this honorable Court for a Motion to Stay proceedings in order to Verify Filings and the Record and for a Motion for a Video Teleconference to View the Filings and the Record. In support thereof Petitioner states the following:

- 1) Petitioner is incarcerated at the Dixon Correctional center;
- 2) On June 19, 2008, Petitioner submitted two(2) sealed envelopes to the mailroom. One contained a single copy of his Petition for Writ of Habeas Corpus addressed to the Chief of Criminal Appeals, Office of the Illinois Attorney General. The copy contained aprox. 90 pages. This envelope was mailed on June 20, 2008. Petitioner was charged \$4.80 for postage.

(See Exhibit I)

- 3) The second envelope was mailed on June 25, 2008. That envelope was addressed to the U.S. District Court and contained an original and 2 copies of the petition. All of the petitions were seperately stabled an were of the same length, ie. approx. 90 pages. Petitioner was charged \$5.20 for postage. A difference of only \$.40 (40¢).

(See Exhibit II)

All copies and the original contained a proof of service  
Petitioner alleges that these charges are inconsistent with the contents.

- 4) On August 3, 2008 , Petitioner wrote the Clerk of the Court requesting his file stamped copy be sent to him.

(See Exhibit III )

5) On August 11, 2008 the Court sent petitioner a letter requesting \$67.00 to copy Petitioner's filings of 134 pages. Petitioner's petition was only approx. 90 pages in length. Approx. ='s 1 or 2 pages.

(See Exhibit IV )

6) On August 15, 2008, Petitioner sent this Court a letter requesting an explanation of what the 134 pages consisted of, alleging that if the 134 pages represented a copy of his petition than something is wrong as the petition submitted by Petitioner was only approx. 90 pages in length and not 134 pages;

(See Exhibit V )

7) Also see copy of the original Proof of Service attached.

( See Exhibit VI )

Petitioner now moves this Honorable Court for a Stay of Proceedings and a Video Teleconference or what ever this Court deems necessary to allow Petitioner and this Court to verify that a correct and accurate petition is before this Court and of record, prior to this Court or a judges ruling.

A F F I D A V I T

I, JAN NEWELL, # K-50566, affiant, do hereby declare and affirm pursuant to 28 UC 1746, 18 USC 1621, or 735 ILCS 5/1-109, under penalty of perjury that everything contained herein is true and accurate to the best of my knowledge and belief. I further declare and affirm that the foregoing documents are known to me and are accurate to the best of my knowledge and belief. Finally, I do declare and affirm that the matter at hand is not taken either frivolously or maliciously and that I believe that the forgoing matter is taken in good faith.

Signed on this 23 day of Aug. 2008.

  
\_\_\_\_\_  
JAN NEWELL, # K-50566  
Dixon Correctional Center  
2600 N. Brinton  
Dixon, IL 61021

  
\_\_\_\_\_  
Affiant

(EXHIBIT I)

(EXHIBIT II)

5482

Case # 80730 6/25/08

## ILLINOIS DEPARTMENT OF CORRECTIONS

## Offender Authorization for Payment

Posting Document # 88 839431 BCB Date JUNE 19, 2008  
 Offender Name J. NEWELL ID# K-50566 Housing Unit HCU-2  
 Pay to CLERK OF THE UNITED STATES DISTRICT COURT  
 Address U.S. COURTHOUSE 219 S. DEARBORN ST.  
 City, State, Zip CHICAGO, IL 60604  
 The sum of FIVE dollars and 00 cents charged to my trust fund  
 account, for the purpose of FILING FEE FOR FEDERAL HABEAS CORPUS

I hereby authorize payment of postage for the attached mail.  I hereby request information on electronic funds transfers to be placed in the attached mail.

Offender Signature J. Newell ID# K-50566

Witness Signature SP-279

Approved  Not Approved Chief Administrative Officer Signature DR

Postage applied in the amount of 3 dollars and 20 cents

Distribution: Business Office, Offender, Mail Room

Printed on Recycled Paper

DOC 0290 (Eff. 1/2008)  
(Replaces DC 629)

PD

MICHAEL W DOBBINS

AUG. 3, 2008

TO: CLERK OF THE U.S. DISTRICT COURT  
 PRISONER CORRESPONDENCE  
 319 S. DEARBURN ST  
 CHICAGO, IL 60604

(EXHIBIT III)

RE:

CASE NO. 08 CV 3711

From: JAN NEWELL - K-50566  
 2600 N. BRUNTON  
 DIXON, IL 61021

Dear [REDACTED] MR. DOBBINS

PETITION

ON JUNE 19, 2008, I FILED A ~~ONE~~ ~~ONE~~ PETITION FOR HABEAS CORAMUS  
 TO THIS COURT BY MAILING, AT THE DIXON CORR. CTR. AN ORIGINAL  
 & 2 COPIES OF THE PETITION. THE PETITION WAS APPROX 90 PGS  
 IN LENGTH WITH YELLOW HIGHLIGHTED AREAS.

ON JUNE 30, 2008 THE COURT SENT ME A LETTER EXPLAINING  
 THEM TO RECEIVE MY FILE STAMPED COPY. I NEEDED TO FILE  
 THIS ORIGINAL & 2 COPIES. I HAD COMPLIED WITH THAT.

I HAVE NOT RECEIVED MY FILE STAMPED COPY.

DUE TO POST PROBLEMS WITH MAILING PROBLEMS AT DIXON  
 CORR. CTR. IT CONCERNED ME THAT THE COURT DID NOT  
 RECEIVE ~~ONE~~ ~~ONE~~ WHAT I HAD MAILED I.E. AN ORIGINAL & 2  
 COPIES OR EVEN ONE COMPUTER PETITION.

WOULD YOU PLEASE ADVISE ME AS TO WHAT YOU RECOMMENDED  
 PERTAINING TO MY PETITION. THANK YOU IN ADVANCE.

RESPECTFULLY Yours,

Also: I HAVE WRITTEN THE  
 COURT A LETTER ADVISING ~~IT~~ OF  
 MY MAILING & THERE IS A CERTIFICATE  
 OF SERVICE INCLUDED WITH THE PETITION  
 INDICATING AN ORIG. & 2 COPIES.

J. Newell

UNITED STATES DISTRICT COURT  
UNITED STATES COURTHOUSE  
219 SOUTH DEARBORN STREET  
CHICAGO, ILLINOIS 60604

MICHAEL W. DOBBINS  
CLERK

OFFICE OF THE CLERK  
CERTIFIED COPY DESK  
312-435-5699

August 11, 2008

(EXHIBIT IV)

Request No.: 0808-25

In Re: 08CV3711

The total cost of the service you requested is: \$67.00  
This cost includes:

134 Photocopies @ \$.50 per page	\$67.00
Total:	\$67.00

Please make your remittance in the form of check or money order, indicating the request number above, and made payable to: Clerk, United States District Court. Do not send cash. Please return this form with your check.

Sincerely yours,

By: Janette Nunez

Deputy Clerk

AUG 15, 2008

Office of the Clerk  
UNITED STATES DISTRICT COURT

219 S. DIXON ST.

CHICAGO, ILLINOIS 60604-2424 - DIXON CIRK

FROM: JAN NEWELL - K-50566  
2600 N BRADLEY  
DIXON IL 61021

(EXHIBIT II)

IN RE: OCV3711

DEAR MS. NEWELL,

IN RESPONSE TO MY LETTER MENTIONING, TO FIND OUT JUST  
WHAT WAS MAILED BY DIXON COUR (NICA), YOU ASKED FOR  $\frac{1}{4}$   
I.E. 134 PHOTOCOPIES @ .50 PER PAGE - REQUEST NO. 0808-25.

I FILED AN ORIGINAL & 2 COPIES OF MY HABEAS PETITION  
EA. OF THE 3 WNS STATED & CONSISTED OF 90 PAGES EA.  
I CAN'T UNDERSTAND WHAT 134 COPIES IS OF.

IF YOU RECEIVED A PETITION WITH 134 PAGES THEN THE  
DIXON MAIL ROOM OR DIXON STAFF ALTERED MY PETITION.

QUESTION: Does THE 134 PHOTOCOPIES ENCOMPASS A SINGLE  
PETITION?

I DON'T NEED A COPY ONLY CLARIFICATION.

I ENTIRELY APPRECIATE ANY HELP THAT YOU CAN PROVIDE.

Sincerely yours,

Jan Newell

(EXHIBIT VII)

STATE OF ILLINOIS

ss

LEE COUNTY

IN THE  
UNITED STATES DISTRICT COURT NORTHERN  
DISTRICT OF ILLINOIS - WESTERN DIVISIONJAN NEWELL )  
Respondent )  
vs. )  
NEDRA CHANDLER - WARDEN )

Case No. \_\_\_\_\_

20<sup>TH</sup> CLERKS OFFICE - PRISONER CORRESP. NOTICE OF FILING  
CLERKS OFFICE - PRISONER CORRESP. NOTICE OF FILING  
To U.S. DISTRICT CT. - EASTWICK OFFICE OF ATTY. GENERATOR  
219 S. DEARBORN ST. 100 W. RANDOLPH - 12<sup>TH</sup> FL.  
CHICAGO, IL 60604 CHICAGO, IL 60601  
1 original & 2 copies 1 copy(ies) copy(ies)PLEASE TAKE NOTE that on the 19<sup>TH</sup> day of JUNE, 2008, I have  
filed, through the U.S. Mail, the above named parties, the below listed documents  
(number of copies & originals filed are listed below the addresses of the parties):

1. PETITION FOR WRIT OF HABEAS CORPUS

2.  
3.  
4.  
5.  
6.  
7.  
8.

AFFIDAVIT OF SERVICE

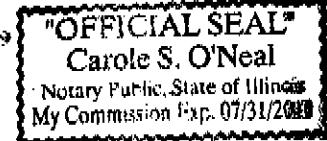
I, JAN NEWELL, being first duly sworn on oath, depose and aver  
that he/she has caused the above stated documents in the above stated amounts, to be  
served upon the above listed parties by placing the same in the U.S. Mail Box on Housing  
Unit #HCU located at Dixon Correctional Center in Dixon, IL for delivery as 1<sup>st</sup> Class  
Mail.

s/s JAN NEWELL  
Name: JAN NEWELL  
IDOC Reg. # K-50566

Subscribed and sworn to before me this

79<sup>th</sup> day of June, 2008.

(Carole S. O'Neal)



STATE OF ILLINOIS

SS

COUNTY OF LEE

IN THE  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

U.S. ex. rel. JAN NEWELL )  
 PETITIONER, )  
 vs. )  
NEVRA CHANDLER, et al. )  
 RESPONDENT.

Case No. 08 CV 3711

PRISONER CORRESPONDENCE NOTICE OF FILING  
 CLERK OF THE U.S. DIST. COURT CHIEF CRIMINAL APPEALS DIVISION  
 To: NORTHERN DIST. OF ILLINOIS To: OFFICE OF ATTORNEY GENERAL To:  
219 S. DEARBORN ST. 100 W. RANDOLPH ST - 12<sup>TH</sup> FL.  
CHICAGO, IL 60604 CHICAGO, IL 60601  
 1 original & 1 copies 1 copy(      )        copy(ies)

PLEASE TAKE NOTE that on the 24 day of AUGUST, 2008, I have filed, through the U.S. Mail, the above named parties, the below listed documents (number of copies & originals filed are listed below the addresses of the parties):

1. MOTION TO STAY PROCEEDINGS
2. MOTION FOR VIDEO TELECONFERENCE
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_

AFFIDAVIT OF SERVICE

I, JAN NEWELL, K-50566, being first duly sworn on oath, depose and aver that he/she has caused the above stated documents in the above stated amounts, to be served upon the above listed parties by placing the same in the U.S. Mail  on Housing Unit# HCU located at Dixon Correctional Center in Dixon, IL for delivery as 1<sup>st</sup> Class Mail.

s/s JAN NEWELL  
 Name: JAN NEWELL  
 IDOC Reg. # K-50566

Subscribed and sworn to before me this

23<sup>rd</sup> day of August, 2008

Sally A. Joos  
 NOTARY PUBLIC

